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Attorneys for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THERESA M. WEESNER,

Plaintiff,

v.

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,

Defendant.

)
) Case No. 2:16-cv-02018-RFB-PAL
)

) **JOINT STIPULATION AND [PROPOSED]**
) **ORDER FOR EXTENSION OF TIME TO**
) **MODIFY BRIEFING SCHEDULE AND**
) **EXTEND DEFENDANT'S TIME TO RESPOND**
) **TO PLAINTIFF'S MOTION FOR**
) **ATTORNEYS FEES PURSUANT TO THE**
) **EQUAL ACCESS TO JUSTICE ACT (EAJA).**

(First Extension Request)

IT IS HEREBY STIPULATED, by the parties, through their respective counsel of record, that the time for responding to Plaintiff's Motion for Attorneys Fees Under Equal Justice Access Act (EAJA)(Dkt No. 26) be extended from March 11, 2019 to May 11, 2019. Good cause exists to grant Defendant's request for extension. Counsel for Defendant (Counsel) apologizes for the belated request for extension, but seeks an extension of time as Counsel was out of the office on intermittent sick leave for over two and half weeks in early March with the flu/pneumonia and did not accurately

1 calendar Defendant's response to Plaintiff's Motion for Attorneys Fees Under EAJA, which was due
2 at the same time. Good cause also exists, as Counsel has over 80+ active social security matters that
3 require two or more dispositive motions per week until mid-May. Due to Counsel's workload and
4 unexpected leave, Counsel needs additional time to properly respond to Plaintiff's Motion and/or
5 engage in settlement negotiations to settle the matter without further motion practice. Defendant
6 makes this request in good faith with no intention to unduly delay the proceedings. The parties further
7 stipulate that the Court's Scheduling Order shall be modified accordingly.

8 Respectfully submitted,

9 Dated: April 11, 2019

s/ *Howard Olinsky

(*as authorized by email on April 11, 2019)

HOWARD OLINSKY

Attorney for Plaintiff

12 Dated: April 11, 2019

NICHOLAS A. TRUTANICH

United States Attorney

DEBORAH LEE STACHEL

Regional Chief Counsel, Region IX

Social Security Administration

16 By /s/ Tina L. Naicker

TINA L. NAICKER

Special Assistant U.S. Attorney

Attorneys for Defendant

19 **ORDER**

21 **IT IS SO ORDERED.**

23 DATED: April 19, 2019



RICHARD F. BOULWARE, II

UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I, TINA L. NAICKER, certify that the following individual was served with a copy of the
**JOINT STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF TIME TO
MODIFY BRIEFING SCHEDULE AND EXTEND DEFENDANT’S TIME TO RESPOND TO
PLAINTIFF’S MOTION FOR ATTORNEYS FEES PURSUANT
TO THE EQUAL ACCESS TO JUSTICE ACT (EAJA).**

on the date and via the method of service identified below:

CM/ECF:

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Respectfully submitted this 11th day of April 2019,

/s/ Tina L. Naicker
TINA L. NAICKER
Special Assistant United States Attorney

Attorney for Defendant